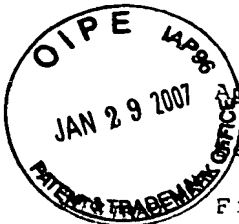


**RESPONSE UNDER**  
**37 C.F.R. §1.116**  
**EXPEDITED PROCEDURE**  
**GROUP ART UNIT 1631**

Docket No. 6543/77335/JPW/AGC

AF  
JFW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



Applicant(s): David L. Rimm et al.  
Serial No. : 10/062,308 Examiner: J. Lin  
Filed : February 1, 2002 Group Art Unit: 1631  
For : SYSTEM AND METHODS FOR AUTOMATED ANALYSIS OF CELLS AND  
TISSUES

Mail Stop Amendment  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

Date: January 24, 2007

Sir:

Transmitted herewith is an amendment to the above-identified application.

\_\_\_\_\_ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been previously established.

\_\_\_\_\_ A verified statement to establish small entity status under 37 C.F.R. §1.9 and §1.27 is enclosed.

X No additional fee is required.

The filing fee is calculated as follows:

	Number after Amendment	Highest Number Previously Paid For <sup>1</sup>	Number of Extra Claims Presented	RATE			FEE	
				Small Entity	Other Entity		Small Entity	Other Entity
Total Claims	15 -	* 20 =	*** 0 x	\$25	\$50	=	0	
Independent Claims	2 -	** 3 =	*** 0 x	\$100	\$200	=	0	
Multiple Dependent Claim(s) Presented For First Time _____ Yes <u>X</u> No				\$180	\$360	=	0	
				TOTAL ADDITIONAL FEE \$ 0				

The "HIGHEST NUMBER PREVIOUSLY PAID FOR" (Total or Independent) is the highest of the "NUMBER AFTER AMENDMENT" in any prior amendment or the number of claims originally filed.  
\* If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.  
\*\* If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.  
\*\*\* If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than "0", write "0".

Applicant(s): David L. Rimm et al.  
Serial No. : 10/062,308  
Filed : February 1, 2002  
Amendment Transmittal Letter  
Page 2

The following are also enclosed:

☒ One additional copy of this Amendment Transmittal Letter  
☒ Return Receipt Postcard  
☐ An Information Disclosure Statement, including Form PTO-1449  
(Copies of citations included: Yes ☐ No ☐  
and a fee of \$  included)  
☐ A Petition for an Extension of Time, including a fee of  
\$  for a Petition for  Month(s) Extension of Time  
☐ Other (identify):

THE TOTAL FEE DUE IS \$ 0.

☐ A check in the amount of \$  is enclosed.  
☐ Please charge Deposit Account No.  in the amount of  
\$ .

☒ The Commissioner is hereby authorized to charge any additional fees  
required or credit any overpayment to Deposit Account No. 03-3125  
as follows:  
☒ Fees under 37 C.F.R. §1.16 for the presentation of extra claims  
☐ Patent application processing fees under 37 C.F.R. §1.17

Respectfully submitted,

I hereby certify that this  
correspondence is being deposited this  
date with the U.S. Postal Service with  
sufficient postage as first class mail  
in an envelope addressed to:  
Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450.  
Gary J. Gershik 1/24/07  
Date  
Gary J. Gershik  
Reg. No. 39,992

Gary J. Gershik  
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(212) 278-0400

RESPONSE UNDER  
37 C.F.R. §1.116  
EXPEDITED PROCEDURE  
GROUP ART UNIT 1631



Dkt. 6543/77335/JPW/AGC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : David L. Rimm et al.

Serial No. : 10/062,308

Examiner: Jerry Lin

Filed : February 1, 2002

Group Art Unit: 1631

For : SYSTEMS AND METHODS FOR AUTOMATED ANALYSIS OF  
CELLS AND TISSUES

1185 Avenue of the Americas  
New York, NY 10036  
January 24, 2007

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

AMENDMENT IN RESPONSE TO NOVEMBER 24, 2006 FINAL OFFICE ACTION

This Amendment is submitted in response to the Final Office Action issued November 24, 2006 by the United States Patent and Trademark Office in connection with the above-identified application. A response to the November 24, 2006 Final Office Action is due February 24, 2006. Accordingly, this Amendment is being timely filed.

Amendments to the claims are reflected in the listing of claims which begins on page 2.

Remarks begin on page 9.